

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 - Finance Office
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96 Clinic Road
Box Elder, Montana 59521

Resolution No. 85-20

A RESOLUTION

HEREBY REQUIRING PERSONS TO WEAR MASK OR FACE COVERINGS WHEN THEY ARE OUT IN PUBLIC WITHIN THE EXTERIOR BOUNDARIES OF THE ROCKY BOY'S INDIAN RESERVATION, WITH LIMITED EXCEPTIONS, AS OUTLINED WITHIN THE GUIDANCE ON MASK OR FACE COVERINGS.

WHEREAS, the Chippewa Cree Tribal Business Committee is the governing body of the Chippewa Cree Tribe of the Rocky Boy's Indian Reservation by the authority of the Constitution and By-Laws of the Chippewa Cree Tribe approved on the 23rd day of November, 1935, and;

WHEREAS, pursuant to their inherent sovereignty and Constitution and By-Laws of the Chippewa Cree Tribe, the Chippewa Cree Tribal Business Committee is charged with the duty to promote and protect the health, security and welfare of the Tribe, and;

WHEREAS, on the 16th day of March 2020 by Resolution No. 24-20, the Chippewa Cree Tribal Business Committee declared a State of Emergency to exist within the exterior boundaries of the Rocky Boy's Indian Reservation due to the communicable disease COVID-19 (Coronavirus Disease 2019), and;

WHEREAS, on the 21st day of March 2020 by Resolution No. 31-20, the Chippewa Cree Tribal Business Committee adopted a STAY AT HOME order and a CURFEW MANDATE, and;

WHEREAS, the Chippewa Cree Tribe continues to respond to the COVID-19 pandemic. Measures undertaken over the last ten (10) weeks have slowed the spread of the virus; however, its transmission continues to threaten the community, and;

WHEREAS, studies of the virus show that a substantial number of individuals with COVID-19 are asymptomatic. In addition, individuals who contract the virus may still transmit the virus to others before ever showing symptoms. Therefore, a person with no symptoms of the virus could spread it by speaking, coughing, or sneezing. Science shows that mask or face coverings can help stop the spread of the virus. That is why the Centers for Disease Control and Prevention (CDC) recommends wearing cloth mask or face coverings, even those made from household items or common materials in public settings, and;

WHEREAS, given our rural location and lack of resources, many people venture to and from surroundings communities with active COVID-19 cases to perform essential activities, our community is in a vulnerable position when individuals return without a mask or face covering, and;

WHEREAS, the Tribe believes in order to promote and protect the health, security and welfare of the Tribe, a Resolution requiring the use of "mask or face coverings" is critical. For the purposes of this Resolution, "mask or face covering" is defined as covering that fully covers a person's nose and mouth, including without limitation, cloth face masks, surgical masks, towels, scarves, and bandanas. This Resolution shall not be construed to require the public to wear medical-grade masks, including masks rated N95, KN95, and their equivalent or better, and;

WHEREAS, individuals not exempted by this Resolution shall be required to cover their nose and mouth with a mask or mask or face covering when in a public space, whether publicly owned or privately owned where the public has access, and;

WHEREAS, businesses operating within the exterior boundaries of the Rocky Boy's Indian Reservation shall ensure that all patrons, customers, patients, or clients utilize mask or face coverings, subject to the guidelines that shall be promulgated pursuant to this Resolution, including prohibiting persons without mask or face coverings from entering the premises, and;

WHEREAS, businesses may adopt practices that exceed the standards imposed by this Resolution, but in no case shall business practices be more permissive than the provisions of this Resolution, and;

WHEREAS, the Chippewa Cree Tribal TERO Department shall enforce all violations of this Resolution against licensees and establishments within their purview and impose disciplinary measures (including but not limited to, suspending licenses, revoking licenses, or issuing penalties for violating businesses) against licensees who violate this Resolution, and;

WHEREAS, any individual who does not comply with this Resolution, after receiving notice from law enforcement, may be subject to criminal prosecution and civil penalties under the laws of the Chippewa Cree Tribe. The Chippewa Cree Police Department are authorized to enforce this Resolution, and;

WHEREAS, as mentioned above, this Resolution requires persons to wear mask or face coverings when they are out in public within the exterior boundaries of the Rocky Boy's Indian Reservation, with limited exceptions, as outlined within the guidance below:

GUIDANCE ON MASK OR FACE COVERINGS

Whenever you leave the house. To keep businesses open and help slow the spread, mask or face coverings are required. Mask or face coverings should be worn at all times in the following circumstances:

- **Public spaces:**
 - Inside of, or standing in line waiting to enter, any indoor public space.
 - While outside in a public space when 6 feet of social distancing from those not in your same household isn't possible.
- **Public or Private Transportation or paratransit that others HAVE used or WILL use:**
 - While waiting for or riding on public transportation or paratransit.
 - While driving or operating any form of transportation or paratransit when passengers not in your same household are present. When no passengers are present, mask or face coverings are still strongly recommended.
- **While at work:**
 - When interacting in-person with members of the public.
 - When in any space visited by the general public, even if no one else is present.
 - When in any space where food is prepared or packaged, for sale, or generally distributed to others.
 - When walking through common areas, such as hallways, stairways, elevators, and parking facilities.
 - In any room or enclosed area where other people (except for members of the person's own household or residence) are present when unable to physically distance.
- **Children:**
 - Children ages 2 to 9 are strongly encouraged to wear mask or face coverings when in public spaces. Children ages 10 and above are required to wear mask or face coverings when in public spaces.
 - Children Enrolled in Summer School: Public or charter schools operating summer school programs must comply with any requirements established by the local school district. Any requirements should be communicated to students and parents or guardians and should be posted in classrooms.
 - The following children should never wear a mask or face covering:
 - Those 2 years of age and under, to avoid potential risk of suffocation.
 - Those who have a mental health condition, medical condition, or disability that prevents them from wearing a mask or face covering.
 - Those who are engaged in strenuous physical activity.

Exemptions includes persons:

- Who are 2 years of age and under, to avoid potential risk of suffocation.
- Who have a medical condition, whether it be mental health, disability, or other health reason that prevents them from wearing a mask or face covering. This includes people with any medical condition for whom wearing a mask or face covering can obstruct their breathing or who are unconscious, incapacitated, or otherwise unable to remove a mask or face covering without assistance.
- Who are hearing impaired, or when in communication with an individual who is hearing impaired where the ability to see the mouth is essential for communication.

- For whom wearing a mask or face covering would create a risk to the person as related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.
- Who are obtaining services involving the nose or mask or face for which temporary removal of the mask or face covering is necessary to perform the service.
- Who are seated at a restaurant or other establishment that offers food or beverage services, while they are eating or drinking, provided that they are able to maintain a distance of at least six feet away from persons who are not members of the same household or residence.
- Who are engaged in outdoor work or recreation such as swimming, walking, hiking, bicycling, or running, when alone or with household members, and when they are able to maintain a distance of at least six feet from others.
- Who are incarcerated. Prisons and jails are working diligently to mitigate the spread and have developed their own specific guidance for mask or face coverings that applies to both inmates and staff.
- Who have a medical condition or disability, or who are otherwise unable to remove a mask without assistance. Individuals exempted under this provision should wear a non-restrictive alternative, such as a mask or face shield, if possible.

Business Owners:

- With this Resolution, businesses are asked to establish a “no mask, no service” policy for your own employees’ and patrons’ safety. Post notices on doors and in front of your locations to enhance public awareness and requirements for entry and safety. Please thoroughly screen those who are exempted from this mask or face covering directive.
- Prior to business refusing service to someone who refuses to wear a mask or mask or face covering, businesses should first check that the individual is not part of an exempted category. If they are not exempted, businesses are encouraged to use the opportunity to have a discussion with any non-compliant individual and educate them on the importance of wearing a mask or face covering to protect themselves, other patrons, and staff. Businesses do have the right to ask a patron to return at a different time with a mask or face covering. If a confrontation occurs between a patron refusing to wear a mask or face covering and an employee, please use discretion and alert local law enforcement as necessary.

WHEREAS, to the extent this Resolution conflicts with earlier resolutions or regulations promulgated pursuant to the March 16, 2020 Declaration of Emergency, the provisions of this Resolution shall prevail. Provisions of all other effective resolutions not in conflict with this Resolution shall remain in effect.

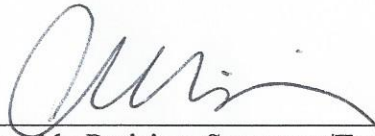
THEREFORE BE IT RESOLVED, hereby requiring persons to wear mask or face coverings when they are out in public within the exterior boundaries of the Rocky Boy’s Indian Reservation, with limited exceptions, as outlined within the guidance on mask or face coverings.

CERTIFICATION

I, THE UNDERSIGNED, AS SECRETARY/TREASURER OF THE BUSINESS COMMITTEE FOR THE CHIPPEWA CREE TRIBE, HEREBY CERTIFY THAT THE BUSINESS COMMITTEE IS COMPOSED OF NINE MEMBERS, OF WHOM NINE (9) MEMBERS CONSTITUTING A QUORUM WERE PRESENT AT A MEETING, DULY AND REGULARLY CALLED, NOTICED, CONVENED AND HELD ON THE 7TH DAY OF JULY, 2020, AND THAT THE FOREGOING RESOLUTION WAS FULLY ADOPTED AT SUCH A MEETING BY THE VOTE OF EIGHT (8) MEMBERS FOR AND ZERO (0) MEMBERS AGAINST AND ZERO (0) MEMBERS ABSTAINED, AND THAT THIS RESOLUTION HAS NOT BEEN RESCINDED OR AMENDED IN ANY WAY.



Ted Whitford, Vice-Chairman
Chippewa Cree Tribe



Chassidy Parisian, Secretary/Treasurer
Chippewa Cree Tribe